IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 498 OF 2005

Razi Iqbal Garel ...Petitioner

VERSUS

The State of Maharashtra & Ors. ...Respondents

Ms. S.D. Khot for the Petitioner

None present for the Respondents.

CORAM: DALVEER BHANDARI, C.J., &
S.A. DBOBDE, J.
DATE: FEBRUARY 15, 2005

P.C.:-

This petition has been filed for a direction to issue Transit Pass for transporting timber.

On 3rd September, 2004, the forest officers conducted raid on the petitioner's depot and prepared

panchanama for unauthorised storage. The petitioner's application for permission to store timber was rejected. It was alleged that timber of K*hair* (Soliv) of 1.822 cubic metre was illegally stored; and there was no hammer stamp.

The petitioner was arrested and subsequently released on bail. The Police filed F.I.R. against the petitioner for forgery and cheating.

In these circumstances, the concerned authorities were justified in not issuing the Transit Pass as contemplated under Rule 67 of the Bombay Forest Rules, 1942 with respect to the validly purchased *Khair Kita* 84.855 cubic metre and *Khair* debarked *Kita* 63.839 cubic metre for its sale.

This Writ Petition, being devoid of any merit, is accordingly dismissed.

CHIEF JUSTICE

S.A. BOBDE, J.